

**Alan M. Klein, State Bar No. 92785
LAW OFFICE OF ALAN M. KLEIN CORP.
16311 Ventura Boulevard, Suite 1200
Encino, California 91436
Telephone: (818) 986-3141
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**Attorney for Defendants Mackson, Inc, Zulily, Inc.
And Burlington Coat Factory Direct Corp.**

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

I, Alan M. Klein, declare as follows:

1. I am an attorney at law duly licensed to practice in the State of California. I am an attorney at the Law Office of Alan M. Klein Corp. (“Law Office of Alan M. Klein”), attorney of record for defendants Mackson, Inc., (“Mackson”), Zulily, Inc. (“Zulily”) and Burlington Coat Factory Direct Corp. (“Burlington”) herein. I have personal knowledge of the matters set forth in this

DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR
LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND
BURLINGTON COAT FACTORY DIRECT CORP

1 declaration and, if called and sworn as a witness, I could and would testify
2 competently thereto under oath.

3 2. This action has been resolved as to Zulily, Burlington and Ross
4 Stores. Plaintiff is to timely file the Dismissal of these Defendants as per the
5 corresponding Settlement Agreements and a Stipulation re Dismissal is currently
6 being circulated for signatures of counsel. The only remaining defendant is
7 Mackson.

8 3. On May 4, 2016, I spoke with Mr. Harjeet Monga, CFO of Mackson
9 and he confirmed that Mackson's address is 40 Gazza Blvd, Farmingdale, New
10 York 11735 and its phone number is 631-270-4811. I have verified this as
11 accurate.

12 4. The address set forth above will be the address to which all future
13 documents will be served or sent until changed by appropriate notice or
14 substitution of attorney. I informed Mr. Harjeet Monga, CFO of Mackson this on
15 May 4, 2016 by telephone and by mailing this Declaration to him. I have informed
16 all attorneys of record of this by serving this declaration upon them by the ECF
17 System and my mail.

18 5. I have informed Mackson, Inc. of the future dates set in this action on
19 the phone on May 4, 2016, and by serving this notice. The dates are as follows:
20 a) Mackson's response to Interrogatories and Documents Requests are past due.
21 b) Discovery Cut-Off: 6/7/2016.
22 c) Expert Witness Exchange Deadline: Initial 7/5/2016; Rebuttal 8/2/2016; Cut-off
23 8/16/16.
24 d) Motion cut-off: 6/27/2016.
25 e) ADR Cut-off: 7/11/2016.

26 DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR
27 LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND
28 BURLINGTON COAT FACTORY DIRECT CORP.

f) Final pre-trial Conference: 9/12/2016 at 3:00 PM.

g) Trial Date: 10/4/2016 at 8:30 A.M.

h) Current Mediation Date: 6/2/2016.

6. I have informed Mackson by telephone on May 4, 2016, and by serving this Declaration that it cannot appear without counsel and the consequences of its failure timely to obtain counsel.

7. I have informed Mackson by telephone and by serving this Declaration that it may obtain its case file at my office or Wendi Opper Uzar's office at Miskin & Tsui-Yip LLP, 1350 Broadway, Suite 802, New York, New York 10018.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Executed On May 4, 2016 at Encino, California.

/s/ Alan M. Klein

Alan M. Klein

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action and a member of the bar of this court. My business address is 16311 Ventura Blvd., Suite 1200, Encino, California 91436.

I hereby declare that on May 4, 2015, a copy of the foregoing documents was filed with the United States District Court for the Central District of California in accordance with its Electronic Case Filing (ECF) procedures and served upon the attorneys of record for the parties to this action thru ECF via e-mail thru ECF to:

Stephen M. Doniger, Esq. (SBN 179314) Attorneys for Star Fabrics
Scott A. Burroughs, Esq. (SBN 235718)
Howard S. Han (SBN 243406)
DONIGER / BURROUGHS
603 Rose Avenue
Venice, California 90291

Mark Brutzkus, Esq. Jeffrey A. Kobulnick, Esq. Attorneys for Ross Stores
Brutzkus Gubner Rozansky Seror Weber LLP
21650 Oxnard Street, Suite 500
Woodland Hills, CA 91367-4911

Andrew V. Jablon, Esq.
Resch Polster and Berger LLP
1840 Century Park East, 17th Floor
Los Angeles, CA 9067
Attorneys for Burlington
Coat Factory, Inc.

I also, on said date, mailed a copy of the foregoing document, by first class mail, with postage pre-paid, addressed to:

Harjeet Monga
Chief Financial Officer
Mackson, Inc.
40 Gazza Blvd.
Farmingdale, NY 11735

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 4th day of May, 2016, at Los Angeles, California.

/s/ Alan M. Klein

Alan M. Klein

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